



Paper No. 6

Henry G. Kohlmann
Snell & Wilmer
1920 Main Street
Suite 1200
Irvine, CA 92614

In re Application of
Rasmussen
Application No. 09/467,669
Filed: December 18, 1999
Attorney Docket No. 35115.0400

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**OFFICE OF PETITIONS
A/C PATENTS
ON PETITION**

This a decision on the petition under 37 CFR 1.10 to accord the above-identified application a filing date of December 18, 1999, instead of December 19, 1999.

The petition is **granted**.

37 CFR 1.10 allows one to get a filing date as of the day that correspondence is deposited with the United States Postal Service using "Express Mail Post Office to Addressee" service. Petitioner has established that the USPS incorrectly entered the date-in and incorrectly stamped the mail label. After committing the errors, the postal employee crossed out the incorrect stamped date, and placed a correct, but somewhat illegible, stamp for the date of December 18, 1999, onto the label. The incorrect date-in entry of December 19, 1999, was not marked out.

The file is now being forwarded to the Office of Initial Patent Examination to accord the application a filing date of December 18, 1999, and for further processing.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.

Beverly M. Flanagan
for
Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy